

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:13CR73
)	
v.)	
)	
BRYAN HOWARD,)	ORDER
)	
Defendant.)	
_____)	

The offender has filed motions seeking the return of seized property. The government has responded.

“The movant must establish lawful entitlement to the property.” Jackson v. United States, 526 F.3d 394, 396 (8th Cir. 2008). This he has not done. However, a “court should afford the movant an opportunity to meet this burden, which may include, but does not require, an evidentiary hearing.” *Id.* Since the defendant is in prison, I will appoint the Federal Public Defender to represent him.

IT IS ORDERED that:

1. David Stickman, Federal Public Defender, is appointed to represent the defendant regarding the motions (filing no. 173; filing no. 174) for return of seized property.
2. My chambers will arrange a telephonic status conference, with counsel for the government and counsel for the defendant, after January 1, 2019, to discuss further progression of this matter.

DATED this 12th day of December, 2018.

BY THE COURT:
s/ *Richard G. Kopf*
Senior United States District Judge